



February 3, 2012

TO: Mayor and Members of Council

FROM: Denise T. Roth, Interim City Manager

SUBJECT: Items for Your Information

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**Contact Center Feedback**

Attached is the weekly report generated by our Contact Center for the week of January 23, 2012 – January 29, 2012.

**Follow-Up on City Councilmembers Requests**

Signal Changes: At the November 15, 2011, City Council meeting, Councilmembers Matheny and Wade requested Transportation Director Adam Fischer to research modifying the timing for stoplights on Horse Pen Creek Road. The week of December 5, 2011, staff in transportation changed the signal timing on Horse Pen Creek Road and YMCA's driveway.

**Follow-Up from Council's Retreat**

Economic Impact of Special Events: At the request of Mayor Pro Tem Yvonne Johnson, attached is a memorandum from Assistant to the Finance Director Jerome Fletcher, dated February 3, 2012, providing the economic impact of City sponsored special events.

Boards and Commission Liaisons: At the request from Council, attached is a memorandum from City Clerk Betsey Richardson, dated February 2, 2012, regarding Council liaisons of the Boards and Commissions.

**City Manager Applicants and NC Public Records Law**

Attached is a memorandum from Human Resources Attorney Jamiah Waterman, dated February 1, 2012, regarding North Carolina public records law concerning the potential applicants for the position of City Manager.

**Occupy Greensboro Cost**

In response to the 2011 Occupy Greensboro event, the Greensboro Police Department scheduled additional manpower and resources to address the event and to maintain our normal service delivery to the rest of the City. The additional staffing cost was \$20,535 in overtime wages.

**Park Ordinance on Concealed Weapons**

Attached is a memorandum from Parks and Recreation Division Manager Chris Wilson, dated January 31, 2012, regarding the amended legislation to all municipalities to enact ordinances prohibiting concealed guns in recreational parks. Staff will present the proposed ordinance to City Council at an upcoming council meeting.

**Grimsley Pool Repairs**

Attached is a memorandum from Parks and Recreation Director Greg Jackson, dated February 1, 2012, providing a follow-up on the structural damage to Grimsley pool, which was reported to you in the December 9, 2011 IFYI.

**2012 Urban Waters Grant**

Attached is a memorandum from Grants Manager Susan Crotts, dated February 2, 2012, regarding the Department of Water Resources submitting for the US Environmental Protection Agency 2012 Urban Waters Grant by its January 23, 2012 deadline. This grant does require a match of \$21,900, which will require Council's approval. This will be on the agenda of the February 21, 2012 Council meeting, for Council's consideration.

DTR/mm  
Attachments

cc: Office of the City Manager  
Global Media

**Public Affairs  
Contact Center Weekly Report  
Week of 1/23/12 -1/29/12**

**Contact Center**

4527 calls answered this week

**Top 5 calls by area**

Water Resources

Balance Inquiry – 1121

Bill Extension – 217

New Sign up – 170

General Info – 165

Pay by Phone – 103

Field Operations

Bulk Guidelines – 71

HHW/Transfer – 58

Repair Can/Garbage – 55

Scheduled E-Waste – 49

Collection Day – 36

All others

Police/Watch Operations – 226

Courts/Sheriff – 83

Police Records – 79

Privilege License – 74

Tax Department – 52

**Comments**

We received a total of 3 comments this week:

**Field Operations – 1 comment:**

- Caller wanted to thank us for responding to his request for debris removal so quickly.

**Public Affairs – 1 comment:**

- Caller would like to comment that the “At Your Service” bulletin placed in the water bill sometimes is not legible. Customer recommends that it be printed in black and white only.

**Water Resources – 1 comment:**

- Customer wishes that applications could be emailed/faxed with a credit card number so that tenants did not have to come into the office to sign up for service.

**Overall**

Calls for the Guilford County Tax Department continued to increase last week. Otherwise, we received the normal mix of calls. Call volume remained steady through the end of the week.



February 3, 2012

**TO:** Denise T. Roth, Interim City Manager

**FROM:** Jerome Fletcher, Assistant to Finance Director (*On Assignment in the CMO*)

**SUBJECT: Economic Impact of City Sponsored Special Events**

At the City Council Retreat on January 24, 2012, Mayor Pro Tem Yvonne Johnson inquired about the economic impact to the City of Greensboro sponsored special events listed below.

Event Name	Police	Transportation	Parks & Recreation	Field Operations	Total FY 10-11 Expenditures
Fun 4th	\$ 52,174	\$ 1,843	\$ 8,878	\$ 10,886	\$ 73,781
Festival of Lights	\$ 7,888	\$ 674	\$ 2,286	\$ 1,634	\$ 12,482
Holiday Parade	\$ 19,790	\$ 1,031	\$ 1,232	\$ 1,416	\$ 23,469
Martin Luther King Parade	\$ 13,771	\$ 1,776		\$ 111	\$ 15,658
NC A&T Homecoming	\$ 151,563	\$ 4,035	\$ 10,925	\$ 16,196	\$ 182,719
Wyndham	\$ 109,884	\$ 473	\$ -	\$ 5,598	\$ 115,955
Women's ACC Tournament	\$ 2,569	\$ 1,746			\$ 4,315
<b>Total- All Depts</b>	<b>\$ 357,639</b>	<b>\$ 11,578</b>	<b>\$ 23,321</b>	<b>\$ 35,841</b>	<b>\$ 428,379</b>

Due to the size of these smaller local events, Fun 4<sup>th</sup>, Festival of Lights, Holiday Parade, and the Martin Luther King Parade, their economic impacts are hard to measure because incremental spending is difficult to track because the majority of the participants are local. The economic impact of NC A&T Homecoming (\$11.1M), Wyndham Golf Tournament (\$35M - \$40M), and The Women's ACC Basketball Tournament (\$5.1M) total approximately \$51.2M – \$56.2M.

These economic impact figures were provided by Henri Fourier, President/CEO Greensboro Area Convention & Visitors Bureau and Mark Brazil, Tournament Director Wyndham Championship.

DTR/ajf

Office of the City Clerk  
City of Greensboro



February 2, 2012

**TO:** Denise T. Roth, Interim City Manager

**FROM:** Betsey Richardson, City Clerk

**SUBJECT:** Boards and Commissions Liaisons

At the City Council Retreat on January 24, 2012, Council discussed the possibility of having Chairpersons of the various boards and commissions make reports as needed to Council rather than have a Council liaison assigned to every board and commission. I have received feedback from the city departments with board and commission responsibilities with regard to liaisons. The attached list outlines the following: the names of boards and commissions that staff requested have a Council liaison, the names of boards and commissions where staff felt a liaison was not required, current liaison assignments and vacancies for said boards and commissions, and the names of community entities where Councilmembers have served as liaisons.

Also included is a list of the Boards and Commissions which require a seated Council member to be appointed as a voting member which currently have vacancies which need to be filled.

Please let me know if I can be of further assistance.

BR  
Attachment

**BOARDS REQUESTING COUNCIL LIAISONS (Staff recommendations)**

<b><u>BOARD</u></b>	<b><u>CURRENT LIAISON</u></b>
Historic Preservation Commission	Vacant
Library Board	Vacant
Redevelopment Commission	Vacant
Transit Authority	Bellamy-Small
War Memorial Commission	Matheny
ABC Board	Vacant

**BOARDS NOT REQUESTING COUNCIL LIAISONS (Staff recommendations)\***

<b><u>BOARD</u></b>	<b><u>CURRENT LIAISON</u></b>
Board of Adjustment	Matheny
Firemen's' Relief	Vacant
Minimum Housing Standards Commission	Vacant
Human Relations Commission	Kee
Parks and Recreation Commission	Perkins
Planning Board	Perkins
Commission on the Status of Women	Vacant
Zoning Commission	Bellamy-Small
Insurance Advisory Commission	Vacant
Greensboro Housing Authority	Perkins
Bryan Park Golf Commission	Vacant
Piedmont Triad Water Authority	Vacant
Airport Authority	Vaughan
Community Sustainability Council	Vacant

*\*These boards to provide quarterly updates as needed.*

**COMMUNITY ENTITIES THAT HAVE PREVIOUSLY HAD COUNCIL LIAISONS**

<b><u>ENTITY</u></b>	<b><u>CURRENT LIAISON</u></b>
Greensboro Partnership Board	Vacant
Piedmont Triad Partnership	Vacant
Transportation Advisory Committee: 2 reg., 1 alt.	Perkins (alt.); Vaughan; Matheny
Downtown Greensboro, Inc.	Vaughan
Economic Development Alliance	Vaughan
Hope VI	Vaughan
East Market Street Development Corp.	Vaughan
PART – Reg.; MPO Representative	Perkins, Bellamy-Small
Chamber of Commerce	Vacant
Greensboro Sports Commission	Vacant
Homeless Issues	Bellamy-Small
Elm Street/Lee Street Development	Bellamy-Small
Greensboro Housing Development Partnership	Kee
Heart of the Triad: 1 reg.; 1 alt.	Kee; Alt. position vacant
Land Development Ordinance Advisory Committee	Matheny

**BOARDS REQUIRING ONE SEATED COUNCIL MEMBER AS A VOTING MEMBER**

Audit Committee – 3 members - Mayor and two Council members, **1 vacancy**  
Guilford County Juvenile Crime Prevention Council – Gang Commission **1 vacancy**  
Piedmont Regional Council – formerly Piedmont Triad Council of Governments **1 vacancy**  
Tourism Development Authority – 1 reg.; 1 non-voting **1 vacancy, Bellamy-Small non-voting member**



Wednesday, February 1, 2012

**TO:** Connie Hammond, Human Resources Director

**FROM:** Jamiah Waterman, Human Resources Attorney

**SUBJECT: City Manager Applicants & the Public Records Law**

Pursuant to your request, I write to give guidance concerning the applicability of the Public Records Law to the City's efforts to select a City Manager. Generally the Public Records Law makes public all records that are generated in connection with the transaction of public business<sup>1</sup>. However, there are some exceptions. Personnel information about current City employees, former City employees and applicants for City positions is made confidential by N.C.G.S. § 160A-168. While personnel information is generally confidential, there is certain information that may be released pursuant to N.C.G.S. § 160A-168.

The statute makes public limited personnel information about current and former City employees. However, those provisions apply narrowly to current and former City employees. The statute does not make public any personnel information about applicants for City positions. The North Carolina Supreme Court addressed this issue in the context of personnel information of applicants for County positions. That court held that there is no provision for access to files of applicants seeking positions with counties<sup>2</sup>. Similarly, applicant information for City positions is also confidential and may not be released either pursuant to the Public Records Law or N.C.G.S. § 160A-168.

In the past, applicants have given their permission for the City to disclose personnel information to the public. However, the portion of the statute that permits an employee to sign a release applies only to current and former City employees<sup>3</sup>. Therefore, it is my opinion that applicant information may not be released by the City even if the applicant expressly authorizes the disclosure.

Feel free to contact me if you should have any questions or concerns about this opinion.

cc: Alice Burkholder, Employment Manager

Attachments: 1. N.C.G.S. § 132-1  
2. Elkin Tribune v. Yadkin Co. Comm., 331 N.C. 735, 737 (1992)  
3. N.C.G.S. § 160A-168(c)(6)

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<sup>1</sup> N.C.G.S. § 132-1.

<sup>2</sup> Elkin Tribune v. Yadkin Co. Comm., 331 N.C. 735, 737 (1992).

<sup>3</sup> N.C.G.S. § 160A-168(c)(6).

# **Attachment 1**

**Chapter 132.**  
**Public Records.**

**§ 132-1. "Public records" defined.**

(a) "Public record" or "public records" shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions. Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.

(b) The public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people. Therefore, it is the policy of this State that the people may obtain copies of their public records and public information free or at minimal cost unless otherwise specifically provided by law. As used herein, "minimal cost" shall mean the actual cost of reproducing the public record or public information. (1935, c. 265, s. 1; 1975, c. 787, s. 1; 1995, c. 388, s. 1.)

## **Attachment 2**

331 N.C. 735  
Supreme Court of North Carolina.

The ELKIN TRIBUNE, INC., the North  
Carolina Press Association, Inc., and the North  
Carolina First Amendment Foundation, Inc.

v.

YADKIN COUNTY BOARD OF COUNTY  
COMMISSIONERS, Grady J. Hunter,  
Arthur H. Winters, Michael D. Crouse,  
Ronald O. Ball and Thomas T. Wooten;  
and John Barber, Interim County Manager.

No. 431PA91. | June 25, 1992.

Newspapers filed action seeking declaratory judgment that they were entitled to inspect and copy applications received by county board of commissioners for position of county manager. The Superior Court, Yadkin County, William H. Freeman, Jr., J., granted judgment for newspapers, and county officials appealed. On discretionary review prior to Court of Appeals determination, the Supreme Court, Webb, J., held that names and applications of people who had applied for the position of county manager were governed by provisions governing inspection and disclosure of county employee personnel files, rather than by the Public Records Act, and thus disclosure order was erroneous.

Reversed and remanded.

West Headnotes (5)

1 Records

⚡ Personal Privacy Considerations in General;  
Personnel Matters

Applications for position of county manager were subject to provision requiring personnel files of applicants for employment maintained by county to be subject to inspection and to be disclosed only as provided by statute. G.S. § 153A-98.

1 Cases that cite this headnote

2 Records

⚡ Personal Privacy Considerations in General;  
Personnel Matters

Disclosure of applications for position of county manager, which were governed by statute

imposing conditions on disclosure of county employee personnel files, rather than by Public Records Act, was erroneous; there was no provision in the personnel record section for access to files of applicants seeking positions with counties. G.S. §§ 132-6, 153A-98.

1 Cases that cite this headnote

3 Records

⚡ Personal Privacy Considerations in General;  
Personnel Matters

Provision governing disclosure of county employee personnel files, which defined "personnel file" as consisting of any information in any form gathered by county with respect to that employee and relating to his application, included an employment application. G.S. § 153A-98.

2 Cases that cite this headnote

4 Records

⚡ Personal Privacy Considerations in General;  
Personnel Matters

Applications for county manager position, which were submitted by applicants, were information "gathered by the county" for purposes of provision governing disclosure of confidential employee personnel files. G.S. § 153A-98.

2 Cases that cite this headnote

5 Records

⚡ Personal Privacy Considerations in General;  
Personnel Matters

"Applicants" were not "employees" under statute establishing conditions for disclosure of confidential county employee personnel files. G.S. § 153A-98.

1 Cases that cite this headnote

\*735 \*\*465 On discretionary review pursuant to N.C.G.S. § 7A-31 prior to determination by the Court of Appeals of an order denying the defendants' motion to dismiss and granting

judgment in favor of the plaintiffs, entered by Freeman (William H.), J., in Superior Court, Yadkin County on 15 July 1991. Heard in the Supreme Court 10 December 1991.

In the spring of 1991, defendant, the Yadkin County Board of Commissioners, instructed the interim Yadkin County Manager to begin taking applications for the position of County Manager. On 24 May 1991, plaintiff, The Elkin Tribune, Inc., requested that all submitted applications be made available to the Tribune for inspection. The Board refused this request.

**\*\*466** The plaintiffs brought this action pursuant to N.C.G.S. § 132-9 and the North Carolina Declaratory Judgment Act, N.C.G.S. § 1-253*et seq.*, seeking a judgment that all applications received by the Board for the position of Yadkin County Manager are "public records" **\*736** as defined by N.C.G.S. § 132-1, *et seq.*, and requiring that the Tribune be permitted to inspect and copy the applications.

We granted the defendants' petition for discretionary review.

#### Attorneys and Law Firms

Everett, Gaskins, Hancock & Stevens by Katherine R. White, Raleigh, and Everett & Everett by James A. Everett, Elkin, for plaintiffs-appellees.

James Lee Graham, Yadkinville, and Finger, Parker & Avram by Raymond A. Parker, II, Jonesville, for defendants-appellants.

James B. Blackburn, III, Raleigh, for amicus curiae North Carolina Ass'n of County Com'rs.

S. Ellis Hankins, Gen. Counsel, and Kimberly L. Smith, Asst. Gen. Counsel, Raleigh, for amicus curiae North Carolina League of Municipalities.

#### Opinion

WEBB, Justice.

This case brings to the Court a question as to the availability to the public of the names and applications of people who have applied for the position of county manager in a county of this state. N.C.G.S. § 153A-98 provides in part:

(a) Notwithstanding the provisions of G.S. 132-6 or any other general law or local act concerning access to public records, personnel files of employees, former employees, or applicants for employment maintained by a county are subject to inspection and may be disclosed only as provided by this section. For purposes of this section, an employee's

personnel file consists of any information in any form gathered by the county with respect to that employee and, by way of illustration but not limitation, relating to his application, selection or nonselection, performance, promotions, demotions, transfers, suspension and other disciplinary actions, evaluation forms, leave, salary, and termination of employment. As used in this section, "employee" includes former employees of the county.

If the inspection and disclosure of applications for the position of county manager are governed by N.C.G.S. § 153A-98, they are not governed by N.C.G.S. § 132-6 of the Public Records Act because N.C.G.S. § 153A-98 provides such inspection and disclosure may only be done as provided by that section.

**1 \*737** We hold that the inspection and disclosure of applications for positions as county manager are subject to N.C.G.S. § 153A-98. The section says "personnel files of ... applicants for employment maintained by a county" are subject to inspection and may be disclosed only as provided by this section. N.C.G.S. § 153A-98 (1991). If an application for employment as county manager is part of the applicant's personnel file, the application is subject to the section. In defining personnel files of county employees the section includes "any information in any form gathered by the county ... and, by way of illustration but not limitation, relating to his application [.]". *Id.* The definition of a personnel file in the section applies only to employees. It is a definition, however, that comports with the commonly understood definition of a personnel file. We believe it should also apply to the files of applicants. The definition "any information in any form ... relating to his application" covers applications for employment. *Id.*

**2** N.C.G.S. § 153A-98 defines employees to include former employees. It is significant that applicants are not included in this definition. The section then provides that some information as to employees may be disclosed under certain circumstances. The section provides that personnel files "are subject to inspection and may be disclosed only as provided by this section." N.C.G.S. § 153A-98 (1991). There is not a provision in the section for the access to the files of applicants for positions with counties. It was error for the **\*\*467** court to order the release of the applications for the position of County Manager.

**3** The plaintiffs argue that the personnel file which is defined and made confidential in N.C.G.S. § 153A-98 does not include applications for employment. They say that it was intended to make confidential such things as the

subjective, evaluative information about an employee, such as letters of recommendation, opinions of former employers, test scores, performance evaluations and complaints. The statute provides that a "personnel file consists of any information in any form gathered by the county with respect to that employee and, by way of illustration but not limitation, relating to his application[.]" *Id.* This definition includes an application.

4 The plaintiffs also argue that the section says it applies to information "gathered by the county." *Id.* The applicants, say the plaintiffs, sent their applications to the County. They say that applications were not gathered by the County and thus are not \*738 subject to N.C.G.S. § 153A-98. In reading the whole section we believe it is clear the word "gathered" includes applications that were sent to the County.

5 The plaintiffs argue further that if the section is not interpreted to include applicants in the definition of employees, the section makes no sense. They say the definition of an employee's personnel file contains as an example his "selection or nonselection[.]" The plaintiffs say this shows that it was intended to include applicants who

were not hired. The plain words of the statute include former employees in the definition of employees. The section deals with applicants but it does not include them in the definition of employees. We can only conclude that the section does not include applicants as employees. When the plain words of a statute are clear as to legislative intent, we do not look further for an interpretation. *Electric Supply Co. v. Swain Electrical Co.*, 328 N.C. 651, 403 S.E.2d 291 (1991).

For the reasons stated in this opinion, we reverse and remand with an order that the relief for which the plaintiffs prayed be denied.

REVERSED AND REMANDED.

LAKE, J., did not participate in the consideration or decision of this case.

Parallel Citations

417 S.E.2d 465, 20 Media L. Rep. 1423

End of Document

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## **Attachment 3**

**§ 160A-168. Privacy of employee personnel records.**

(a) Notwithstanding the provisions of G.S. 132-6 or any other general law or local act concerning access to public records, personnel files of employees, former employees, or applicants for employment maintained by a city are subject to inspection and may be disclosed only as provided by this section. For purposes of this section, an employee's personnel file consists of any information in any form gathered by the city with respect to that employee and, by way of illustration but not limitation, relating to his application, selection or nonselection, performance, promotions, demotions, transfers, suspension and other disciplinary actions, evaluation forms, leave, salary, and termination of employment. As used in this section, "employee" includes former employees of the city.

(b) The following information with respect to each city employee is a matter of public record:

- (1) Name.
- (2) Age.
- (3) Date of original employment or appointment to the service.
- (4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.
- (5) Current position.
- (6) Title.
- (7) Current salary.
- (8) Date and amount of each increase or decrease in salary with that municipality.
- (9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.
- (10) Date and general description of the reasons for each promotion with that municipality.
- (11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.
- (12) The office to which the employee is currently assigned.

(b1) For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity.

(b2) The city council shall determine in what form and by whom this information will be maintained. Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the city council may have adopted. Any person denied access to this information may apply to the appropriate division of the General Court of Justice for an order compelling disclosure, and the court shall have jurisdiction to issue such orders.

(c) All information contained in a city employee's personnel file, other than the information made public by subsection (b) of this section, is confidential and shall be open to inspection only in the following instances:

- (1) The employee or his duly authorized agent may examine all portions of his personnel file except (i) letters of reference solicited prior to employment, and (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.
- (2) A licensed physician designated in writing by the employee may examine the employee's medical record.
- (3) A city employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- (4) By order of a court of competent jurisdiction, any person may examine such portion of an employee's personnel file as may be ordered by the court.

- (5) An official of an agency of the State or federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the official having custody of such records to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution (of the employee), or for the purpose of assisting in an investigation of (the employee's) tax liability. However, the official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
  - (6) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
  - (7) The city manager, with concurrence of the council, or, in cities not having a manager, the council may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a city employee and the reasons for that personnel action. Before releasing the information, the manager or council shall determine in writing that the release is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. This written determination shall be retained in the office of the manager or the city clerk, and is a record available for public inspection and shall become part of the employee's personnel file.
- (c1) Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:
- (1) Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the city's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.
  - (2) Investigative reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.
  - (3) Information that might identify an undercover law enforcement officer or a law enforcement informer.
  - (4) Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel decision, then the employee or his duly authorized agent shall have a right to inspect such materials.
- (c2) The city council may permit access, subject to limitations they may impose, to selected personnel files by a professional representative of a training, research, or academic institution if that person certifies that he will not release information identifying the employees whose files are opened and that the information will be used solely for statistical, research, or teaching purposes. This certification shall be retained by the city as long as each personnel file examined is retained.
- (c3) Notwithstanding any provision of this section to the contrary, the Retirement Systems Division of the Department of State Treasurer may disclose the name and mailing address of former local governmental employees to domiciled, nonprofit organizations representing 2,000 or more active or retired State government, local government, or public school employees.
- (d) The city council of a city that maintains personnel files containing information other than the information mentioned in subsection (b) of this section shall establish procedures whereby an employee who objects to material in his file on grounds that it is inaccurate or misleading may seek to have the material removed from the file or may place in the file a statement relating to the material.
- (e) A public official or employee who knowingly, willfully, and with malice permits any person to have access to information contained in a personnel file, except as is permitted by this section, is

guilty of a Class 3 misdemeanor and upon conviction shall only be fined an amount not more than five hundred dollars (\$500.00).

(f) Any person, not specifically authorized by this section to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a Class 3 misdemeanor and upon conviction shall only be fined in the discretion of the court but not in excess of five hundred dollars (\$500.00). (1975, c. 701, s. 2; 1981, c. 926, ss. 1-4; 1993, c. 539, ss. 1084, 1085; 1994, Ex. Sess., c. 24, s. 14(c); 2007-508, s. 7; 2008-194, s. 11(e); 2010-169, s. 18(f).)



January 31, 2012

**TO:** Greg Jackson, Director

**FROM:** Chris Wilson, Division Manager, Park Management & Operations

**SUBJECT:** Carry Conceal in Parks Ordinance

The North Carolina legislature amended GS 14-415.23 to allow the public to carry concealed permitted guns in parks effective December 1, 2011. The law allows municipalities to enact ordinances prohibiting concealed guns in parks that have recreational amenities such as playgrounds, swimming pools, and athletic facilities. In cooperation with our Legal and Police departments, staff has drawn up a proposed ordinance supporting these restrictions. State law does not allow municipalities to prohibit concealed permitted guns on trails, greenways and open space properties that do not include the defined exceptions above.

Staff will present the proposed ordinance to the Parks & Recreation Commission at their Wednesday, February 8, 2012 meeting. Upon approval, the ordinance will be placed on a City Council agenda for review and adoption. If adopted by Council, staff will have to post the updated ordinance throughout the park system to allow police enforcement.

CW

cc: Jim Clark, Greensboro Police Attorney  
Tom Carruthers, Assistant City Attorney  
Ken Miller, Chief of Police



February 1, 2012

**TO:** Denise T. Roth, Interim City Manager

**FROM:** Greg Jackson, Director

**SUBJECT:** Grimsley Pool Repairs

Sutton-Kennerly & Associates, Inc. (SKA) has concluded their evaluation of the structural integrity of the Grimsley Pool building and determined the following:

- Two walls are unstable and need reinforcing.
- Three support columns need stabilizing.
- Soil has settled under the pool deck leaving gaps between the concrete and soil.

SKA developed a plan to make the appropriate repairs to stabilize the building. Engineering and Inspections awarded the work to Hodgin Construction, which was the lowest bidder at \$210,430. The support column and wall stabilization repairs are not permanent solutions but will make the facility structurally sound for several years while a permanent solution is considered.

It is estimated that an additional \$30,000 will be needed to repair the roof. This is an estimate because contractors cannot access the roof to fully analyze the damage until the building is stabilized.

Hodgin Construction plans to begin this work in February 2012 and it would take three months to complete.

If you need additional information, please let me know.

GJ

cc: Butch Simmons, Director, Engineering and Inspections  
Wade Walcutt, Division Manager, Community Recreation Services



February 3, 2012

**TO:** Denise T. Roth, Interim City Manager

**FROM:** Susan Crotts, Grants Manager and Centralized Contracting Division Manager

**SUBJECT:** US Environmental Protection Agency (EPA) 2012 Urban Waters Grant Application

The Water Resources Department recently was requested by the Piedmont Triad Regional Council (PTRC), a voluntary local government association, to submit a grant application to the US EPA for a 2012 Urban Waters Grant requesting the amount of \$54,780. This planning grant will support a partnership between the Water Resources Department and PTRC that will facilitate regional water quality improvement by reducing stormwater runoff to local tributaries that impact Jordan Lake.

The grant project funding is comprised of \$54,780 in EPA funds, \$3,800 in local government funds and resources from the PTRC, and an in-kind match valued at \$21,900 from costs for current City staff. The total project value equals \$80,480. If the grant is approved and awarded, the community will have an opportunity to participate in developing best management practices that will impact the community in areas of water quality health, public health and education needs, and environmental injustices. An index of stormwater retrofit opportunities on public properties in Greensboro and other related work products will be developed in the process.

The Water Resources Department had a short time frame to submit the application, which was due on January 23, 2012, and will request Council's consideration to approve the grant application at their February 21, 2012 meeting. Additional information will be provided in the Council agenda packet. Please contact Steven Drew, Water Resources Director, at 373-7893 if any additional information is needed in advance of the agenda publication.

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cc: Chris Payne, Deputy Director Financial & Administrative Services  
Steven Drew, Water Resources Director